

Superseded 5/10/2016

31A-35-401 Requirement for license or certificate of authority -- Process -- Fees -- Limitations.

- (1)
 - (a) A person may not engage in the bail bond surety insurance business unless that person:
 - (i) is a bail bond surety company licensed under this chapter;
 - (ii) is a surety insurer that is granted a certificate under this section in the same manner as other insurers doing business in this state are granted certificates of authority under this title; or
 - (iii) is a bail bond producer licensed in accordance with this section.
 - (b) A bail bond surety company shall be licensed under this chapter as an agency.
 - (c) A bail bond producer shall be licensed under Chapter 23a, Insurance Marketing - Licensing Producers, Consultants, and Reinsurance Intermediaries, as a limited lines producer.
- (2) A person applying for a bail bond surety company license under this chapter shall submit to the commissioner:
 - (a) a completed application form as prescribed by the commissioner;
 - (b) a fee as determined by the commissioner in accordance with Section 31A-3-103; and
 - (c) any additional information required by rule.
- (3) A fee required under this section is not refundable.
- (4) A fee collected from a bail bond surety company shall be deposited in a restricted account created in Section 31A-35-407.
- (5)
 - (a) A bail bond surety company shall be domiciled in Utah.
 - (b) A bail bond producer shall be a resident of Utah.
 - (c) A foreign surety insurer that is granted a certificate to issue bail bonds may only issue bail bonds through a bail bond surety company licensed under this chapter.